

REMARKS/ARGUMENTS

Claims 1, 3-13, 15 and 21-30 are pending herein. Claims 1, 26 and 30 have been amended hereby to clarify the positional relationship among the claimed elements. Applicant respectfully submits that support for rewritten claims 1, 26 and 30 can be found in Figs. 1A, 1B, 3 and 4, for example, and that no new matter has been added.

1. Examiner Hinze and SPB Hirshfeld are thanked for the courtesies extended to Applicant's representatives (Nicole Buckner and Steve Burr) during a telephonic interview on June 28, 2006, the substance of which is incorporated below.

During the interview, Examiner Hinze and SPE Hirshfeld indicated that they would favorably considered claim amendments directed to adding a limitation to clarify the arrangement and connection of the claimed elements. Examiner Hinze and SPE Hirshfeld also indicated that adding a claim limitation to further define the flexible nature of the claimed main body portion would also be favorably considered. Applicant respectfully submits that independent claims 1, 26 and 30 have been so rewritten, as shown above and explained in detail herein below.

2. Claims 1, 3-7, 13, 15 and 22-26 were rejected under §103(a) over Adams in view of Smith and further in view of Huffman. Applicant respectfully traverses this rejection.

Rewritten claim 1 recites a clock kit, including, among other things, a mounting member, an interchangeable main body portion, and a clock unit. The interchangeable main body portion (hereinafter "main body portion") has a first end adapted to be fastened to the mounting member and is adapted to extend downwardly from beyond the mounting member so that the main body portion does not substantially overlap the mounting member. The clock unit is adapted to be supported such that the main body portion is interposed between the clock unit and the vertical mounting surface. The main body portion comprises a substantially flexible material that exhibits sufficient

flexibility to allow said main body portion to be manipulated into a rolled configuration.

Independent claim 26 has been similarly rewritten to include these clarifying features, as well.

Examiner Hinze asserted that the lower portion of the box-like housing 12 shown in Adams' Fig. 1 allegedly corresponds to the claimed mounting member, and that the door element 62 allegedly corresponds to the claimed interchangeable main body portion (Office Action, page 2, lines 14-17). Applicant respectfully submits, however, that the first end of Adams' door 62 is not fastened to the housing 12, rather, the door 62 is hingeably affixed to the housing at points along the lateral side thereof. In addition, the door 62 of Adams does not extend downwardly from and beyond the housing 12 so that it does not substantially overlap the housing 12 in the claimed manner. Applicant respectfully submits that although Examiner Hinze relied on Smith in an attempt to provide the modularity and separability concept that is admittedly missing in Adams, Applicant respectfully submits that Smith still cannot cure the defects of the primary reference.

Moreover, Applicant respectfully submits that even if the concept of using cardboard as a clock making material, as taught by Huffman, were adapted to the clock kit in Adams, one skilled in the art would have made Adams' housing 12 (a cabinet structure) from cardboard. Contrary to that which Examiner Hinze asserted would have been suggested by Huffman, Applicant respectfully submits that one skilled in the art would not have been motivated to use cardboard as Adams' door panel 68 instead of glass or a similar rigid, transparent material to facilitate pendulum viewing in Adams, because such a substitution simply would not allow the aesthetic features, such as Adams' pendulum to be viewed as intended.

Even in view of the above, however, Applicant respectfully submits that there is no disclosure in Huffman that could even begin to reasonably suggest that the cardboard clock cabinet material would or could even possibly exhibit any significant degree of flexibility, much less sufficient flexibility to allow any part of the clock

made of cardboard to be manipulated into a rolled configuration, as claimed. Indeed, Applicant respectfully submits that such a flexible material would not at all be suitable for a structural component such as a clock cabinet.

For at least the foregoing reasons, Applicant respectfully submits that independent claims 1 and 26, and all claims respectively depending directly or indirectly therefrom, define patentable subject matter over the applied references. Accordingly, Applicant respectfully requests that the above rejection be reconsidered and withdrawn.

3. Claim 8 was rejected under §103(a) over Adams in view of Smith and Huffman, and further in view of Shanok, and claims 9-12 were rejected under §103(a) over Adams in view of Smith, Huffman and Shanok and further in view of Bamberger. Applicant respectfully traverses these rejections.

Claim 8 depends directly from independent claim 1, which is discussed above in Section 2. Claims 9-12 each depend directly or indirectly from claim 8.

Since independent claim 1 defines patentable subject matter over the applied references for at least the reasons explained in Section 2 above, Applicant respectfully submits that claims 8-12 likewise define patentable subject matter over the applied references at least by virtue of their respective dependencies from claim 1.

For at least the foregoing reasons, Applicant respectfully requests that the above rejections be reconsidered and withdrawn.

4. Claims 21 and 27 were rejected under §103(a) over Adams in view of Smith and Huffman and further in view of Prevost. Claim 28 was rejected under §103(a) over Adams in view of Smith and Huffman and further in view of Lehmann, and claim 29 was rejected under §103(a) over Adams in view of Smith, Huffman and Prevost and further in view of Lehmann. Applicant respectfully traverses these rejections.

Claims 21 depends indirectly from independent claim 1 which is discussed above in Section 2. Claims 27-29 each depend directly or indirectly from independent claim 26, which is also discussed above in Section 2.

Since independent claims 1 and 26 define patentable subject matter over the applied references for at least the reasons explained in Section above, Applicant respectfully submits that claims 21 and 27-29 likewise define patentable subject matter over the applied references at least by virtue of their respective dependencies from independent claims 1 and 26.

For at least the foregoing reasons, Applicant respectfully submits that the above rejections be reconsidered and withdrawn.

5. Claim 30 was rejected under §103(a) over Adams in view of Smith, Huffman, Prevost and Lehmann. Applicant respectfully traverses this rejection.

Like independent claim 26, rewritten independent claim 30 also recites a clock having the same features described above with respect to rewritten independent claims 1 and 26, among the other additional features recited in claim 30.

Applicant respectfully submits that independent claim 30 defines patentable subject matter over the applied references for at least the same reasons explained in Section 2 above with respect to independent claims 1 and 26. Accordingly, Applicant respectfully requests that the above rejection be reconsidered and withdrawn.

Applicant respectfully requests that Examiner Hinze telephone Applicant's representatives prior to taking any further action on this case, other than to issue a Notice of Allowance.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

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Date



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